IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

WP(C).No. 36820 of 2007(G)

PETITIONER:

P.HAMSA, AGED 70, S/O.KUNHAMMU HAJI,
PALATHINGAL VEEDU, P.O.UPPUKULAM,
EDATHANATTU KARA, MANNARKKAT, PALAKKAD DIST.

BY ADV. SRI.T.M.CHANDRAN
SRI.V.A.SASIDHARAN
SRI.JOSEPH ALBIN NEDUNTHALLY

RESPONDENTS:

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1. THE DISTRICT COLLECTOR, PALAKKAD DIST.

2. THASILDAR, MANNARGHAT, PALAKKAD DIST.

3. THE VILLAGE OFFICER, EDATHANATTUKARA
III VILLAGE, EDATHANATTUKARA P.O.,
PALAKKAD DIST.

BY GOVT. PLEADER SRI I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C) 36820 of 2007

Dated: December 13, 2007

JUDGMENT

The petitioner submits that he has filed Ext. P3 application before the 2nd respondent and that no action has been taken on Ext. P3 till date.

2. It is stated that in his remaining portion of the estate, he had the same experience and had filed a petition before this court as WP(C) No.19170/07. That writ petition was disposed of by Ext. P2 judgment directing the 2nd respondent to consider a similar application filed by the petitioner. On the order that was consequently passed, measurement was carried out in that area. It is submitted that adopting the same reasoning as done by the learned judge in Ext. P2 judgment referred to above, the 2nd respondent may be directed to consider Ext.P3 application.

3. Having regard to the similarity of facts that were obtaining at the time when Ext.P2 judgment was passed by this court, adopting the same reasoning I dispose of this writ petition directing

the 2nd respondent to consider Ext.P3 application made by the petitioner and pass appropriate orders thereon. This shall be done as expeditiously as possible at any rate within two months of receipt of a copy of this judgment.

ANTONY DOMINIC, JUDGE

mt/-